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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 LIONEL P. WASHINGTON

10 Plaintiff,

11 v.

12 HOTEL 1000 LLC, d/b/a Hotel 1000, a  
13 Washington Limited Liability Company.

14 Defendant.  
15

NO.

**COMPLAINT**

**JURY DEMAND**

16 NOW COMES plaintiff, by and through his attorneys, Janet L. Rice and Schroeter,  
17 Goldmark & Bender, and hereby alleges against defendant as follows:

18 **I. JURISDICTION AND VENUE**  
19

20 1.1. This Court has jurisdiction over plaintiff's claims pursuant to 42 U.S.C. §  
21 2000e-5(f), 28 U.S.C. §§ 1331 and 1343(3) & (4), and pursuant to its supplemental  
22 jurisdiction over state statutory and common law claims.

23 1.2 At all times relevant to this complaint, the defendant conducted business  
24 within the Western District of Washington, and the unlawful facts set forth in this complaint  
25 took place within the Western District of Washington.  
26

1 **II. PARTIES**

2 2.1 Lionel P. Washington, plaintiff herein, is an African-American, 41 year-old  
3 male resident of King County, Washington.

4 2.2 Defendant Hotel 1000 LLC, d/b/a Hotel 1000 is a Washington limited liability  
5 company that is licensed to do business in Washington State. Hotel 1000 LLC operates a  
6 hotel called Hotel 1000 in Seattle, Washington. Defendant is an employer under 42 U.S.C. §  
7 2000e(b), and engaged in an industry affecting commerce within the meaning of 42 U.S.C. §  
8 2000e(h).  
9

10 2.3 At all times relevant herein, the defendant employer employed more than  
11 fifteen (15) employees.

12 **III. ADMINISTRATIVE PROCEEDINGS**

13 3.1 On or about July 24, 2007, plaintiff Washington filed a timely charge of  
14 employment discrimination with the Equal Employment Opportunity Commission ("EEOC")  
15 against defendant Hotel 1000.  
16

17 3.2 The EEOC issued a signed and dated determination ("Dismissal and Notice of  
18 Rights") allowing the plaintiff to bring this action. The EEOC determination was dated May  
19 21, 2008.

20 3.3 All conditions precedent to the institution of this lawsuit have been fulfilled  
21 by plaintiff. This lawsuit is timely filed in that it is filed within the 90-day period established  
22 by the Notice of Suit Rights.  
23

24 **IV. FACTS**

25 4.1 Plaintiff Washington was hired by Hotel 1000 in August 2006 and went to  
26 work at the hotel in late September 2006 in food service. At that time, plaintiff had 18 years

1 of experience as a banquet server.

2 4.2 He applied for a full-time position as a banquet server and was hired as an on-  
3 call employee. He was the only black server and the only one with such extensive  
4 experience.

5 4.3 He repeatedly asked to convert into a full-time employee but was told to wait  
6 and his status would be changed. Meanwhile, he was directed by his supervisors to train  
7 other employees who were full-time employees and many who had no serving experience.  
8 None of the full-time employees he trained was black.

9 4.4 In early December 2006, Mr. Washington complained to the Hotel 1000's  
10 human resource coordinator about being passed over for full-time employment because he  
11 was black. Shortly after complaining, Mr. Washington was no longer assigned to any shifts  
12 of work and was told that there were no shifts available for him although other employees  
13 who were not black were being assigned shifts.

14 4.5 Mr. Washington filed a complaint with the EEOC and then the employer  
15 called him back to work. However, the employer did not place him on full time status and he  
16 was not given any shifts to work after September 2007.

17 4.6 September 21, 2007, was the last day Mr. Washington worked at Hotel 1000  
18 because he was not given any further shifts to work.

19 4.7 In late February 2008, plaintiff received a letter from Hotel 1000 terminating  
20 him from his position.

21 **V. FIRST CAUSE OF ACTION – Discrimination and Retaliation in Violation of**  
22 **Title VII**

23 5.1 Plaintiff realleges the allegations in paragraphs 1.1 through 4.7, as if fully set  
24 forth herein.  
25  
26

1           5.2     By the foregoing acts, defendant Hotel 1000 intentionally denied plaintiff his  
2 right to obtain and hold employment free from discrimination due to his race, in violation of  
3 Title VII, 42 U.S.C. Sec. 2000e.

4           5.3     As a direct and proximate result of the foregoing, plaintiff has suffered and  
5 continues to suffer loss of employment, loss of income, loss of other employment benefits,  
6 and has suffered and continues to suffer distress, humiliation, great expense, embarrassment,  
7 and damage to his reputation, all in amounts to be proven at trial.  
8

9     **VI. SECOND CAUSE OF ACTION – Discrimination and Retaliation in Violation of**  
10     **42 U.S.C. § 1981**

11          6.1     Plaintiff realleges the allegations in paragraphs 1.1 through 5.3, as if fully set  
12 forth herein.

13          6.2     By the foregoing acts, defendant has violated 42 U.S.C. Sec. 1981.

14          6.3     As a direct and proximate result of the foregoing, plaintiff has suffered and  
15 continues to suffer loss of employment, loss of income, loss of other employment benefits,  
16 and has suffered and continues to suffer distress, humiliation, great expense, embarrassment,  
17 and damage to his reputation, all in amounts to be proven at trial.  
18

19     **VII. THIRD CAUSE OF ACTION – Violations of RCW 49.60**

20          7.1     Plaintiff realleges the allegations in paragraphs 1.1 through 6.3, as if fully set  
21 forth herein.

22          7.2     Defendant Hotel 1000 is an employer as defined in RCW 49.60.040.

23          7.3     By the foregoing acts, defendant violated the Washington State Law Against  
24 Discrimination, RCW 49.60.030, RCW 49.60.180, and RCW 49.60.220.  
25

26          7.4     As a direct and proximate result of the foregoing, plaintiff has suffered and  
continues to suffer loss of employment, loss of income, loss of other employment benefits,

1 and has suffered and continues to suffer distress, humiliation, great expense, embarrassment,  
2 and damage to his reputation, all in amounts to be proven at trial.

3 **VIII. RELIEF REQUESTED**

4 WHEREFORE, plaintiff prays that the Court grants him the following relief:

5 8.1 Damages for lost compensation and benefits;

6 8.2 Damages for lost prospective earnings and benefits, and lost earning capacity,  
7 in amounts to be proven at trial;

8 8.3 Damages for emotional distress, anxiety, humiliation and embarrassment in an  
9 amount to be proven at trial;

10 8.4 Exemplary damages pursuant to RCW 49.52.070;

11 8.5 Liquidated damages pursuant to 29 U.S.C §216(b);

12 8.6 Punitive damages;

13 8.7 Prejudgment interest;

14 8.8 Attorney's fees and costs associated with this litigation as provided in RCW  
15 49.60.030(2), RCW 49.48.030, RCW 49.52.070; and 42 U.S.C. 1988; and

16 8.9 Such other and further relief as this Court deems just and proper.

17 DATED this 19<sup>th</sup> day of August, 2008.

18 */s/ Janet L. Rice*

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